European Railway Agency

Cross Acceptance Unit

REFERENCE DOCUMENT PART 3: LITHUANIA

NATIONAL LEGAL FRAMEWORK APPLIED IN CONJUNCTION WITH THE AUTHORISATION OF RAILWAY VEHICLES IN ACCORDANCE TO ART.27 OF DIRECTIVE 2008/57/EC IN LITHUANIA

DOCUMENT TYPE:	TECHNICAL DOCUMENT
VERSION:	1.6.1

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		(National Safety Authority of Lithuania)
Date	11/12/2012	28.01.2013
&		July.
Signature.		

Background information	<u>n</u>	
The 3 sheets: Back Info-	-General, Back Info - Roles and Resps, and Back Info - Timeframe shall be filled in with the	
relevant information.		
The cells coloured in:	are those to be filled in.	
Additional information		
Additional information	to the flowcharts is requested where the objects are bordered with a thick black line.	
Reference N° of these o	objects have been introduced.	
The 8 sheets: Stage 1, St	tage 2, Stage 3, Stage 4, Stage 6, Stage 7 and Stage 8 shall be filled in with the relevant inforr	nation.
The cells coloured in:	are those to be filled in.	
Colour coding from the	flowcharts	
	legal option	
	non mandatory/commom practice	
	legal option at the national level	

Contact details for Natio	ontact details for National Legal Framework				
Reporting country	Organisation Name	Office phone number			
Lithijania	State Railway Inspectorate under the Ministry of Transport and Communications	85 243 0491			
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		Is there (Yes/No)	Classification: (general, specific, detailed)	Detailed reference of the rule(s)	Language(s) that the rule(s) are available in	MSs
Interoperability Directive	Interoperability Directive transposed		Rules system r adopte N/A adopte No. Trans		LT + EN*	
National guideline		Yes	N/A	Rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	
Additional authorisation	required	Yes	N/A	Articles 34; 34 ¹ of rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	N/A
	Vehicle type	Yes	General	2 article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	
	Time validity of a type	No				
Definitions:	Upgrading	Yes	General	Article 3 of the Transeuropean rail system requirements and application adopted on 23.12.2004 by order No. 3-586 of the Ministry of Transport and Communications	LT	
	Renewal	Yes	General	3 article of the rules on Transeuropean rail system requirements and application adopted on 23.12.2004 by order No. 3-586 of the Ministry of Transport and Communications	LT	
Specific national arrange	ments for on track tests	Yes	Detailed	XII chapter, I annex of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-586 of the ministry of Transport and Communications	LT	
Coordination with other MSs	Procedure for simultaneous application	Yes	General	42 ⁴ article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the ministry of Transport and Communications	LT	

Fees	Is there (Yes/No)	Amount (Euro)	Conditions (fixed/hourly rate)	Detailed reference of the rule	Language(s) that the rule(s) are available in
To obtain the National guideline	No				
For the acknowledgement of receipt of application	No				
For issuing authorisation	Yes	157,8	Fixed	4.285 ⁵³ part of the rules on state charges and these charges payment adopted on 15.12.2000 by Resolution No. 1485 of the Government of the Republic of Lithuania	LT
For refusal of authorisation	No				
For the appeal procedure to NSA	No				
For the appeal procedure to Appeal Body	Yes	28,96	Fixed	39 article of law on administrative proceedings adopten on 14.01.1999 by order No VIII-1029 of the Parlament of the Republic of Lithuania	N/A
For the NSA acting as assessment body (DeBo/CSM)	No				
For NSA issuing certificates (DeBo/CSM)	No				

The following roles/actors might be involved in the authorisation procedure for the placing in service of vehicles: applicant, RU, IM, keeper, NoBo, DeBo, NSA, MS, Assessment body (CSM) and others (laboratories, etc.). Some actors may have several roles. For example, an applicant can be also a RU or a NoBo can be also a DeBo. The purpose of this table is to clarify the requirements, if any, for each of the above roles. This table is to be filled with the following information:

- the reference to the rules that describe each role and the language(s) in which these rules are available;
- a list of criteria that enables the actor to undertake a role; and
- a list of all actors able to undertake a role

Requirement on the actor for the role	Applicant	IM	NoBo	DeBo	NSA	MS	Assessment Body (CSM)	Appeal Body
Detailed reference of the rule(s)	2 article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	3(35) and 23 articles of the Railway transport code of the Republic of Lithuania adopted on 22.04.2004 by order No. IX- 2152 of the Parlament of Republic of Lithuania	3 article of the rules on Transeuropean rail system requirements and application adopted on 23.12.2004 by order No. 3-586 of the Ministry of Transport and Communications	N/A	6 article of the law on railway transport traffic safety of the Republic of Lithuania adopted on 16.12.2003 by order No. IX-1905 of the Parlament of Republic of Lithuania	3(4) article of the Railway transport code of the Republic of Lithuania of Lithuania adopted on 22.04.2004 by order No. IX 2152 of the Parlament of Republic of Lithuania	Annex II of the comission regulation (EC) No 352/2009 on the adoption of a common safety method of risk evaluation and assessment as reffered to in Article 6(3)(a) of Directive 2004/49/EC of the European Parlament and of the council	1 article of the law on establishing administrative tribunal
Language(s) that the rule(s) are available in:	LT	LT; EN	LT	LT	LT	LT; EN	All EU languages	LT
List of acceptance criteria	No restrictions	IM shall poses an authority in transport traffic safety	1.Independence 2.Competention 3.Should have all needed equipment and insurance of liability	1.Independence 2.Competention 3.Should have all needed equipment	Appointed by law	Appointed by law	I.Independence 2.Competention 3.Should have all needed equipment	Appointed by law
List of actors entitled to	RU; IM; Keeper, Manufacturer; Contracting Entity	AB "LIETUVOS GELEZINKELIAI"	NANDO	NSA**	VGI	VGI, Ministry of Transport and Communications (1)	NSA (**)	District Administrative Court Supreme Administrative Court
act as: (*) please describe the	Contracting Entity role and legal basis for the involvement is no DeBo or CSM, tasks are performed by NS	GELEZINKELIAI" of any "other" actor not me			VGI			NSA (**)

Is the	Is there a National timeframe		Detailed reference of the rule(s)	Language(s) that the rule(s) are available in	
For new authorisation case after upgrading/renewal: for MS/NSA to make decision according to Art.20.1 of Directive 2008/57/EC		30 days	11 articles of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	
	Request for review of the refusal by the applicant to the NSA	30 days	82.5 article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications		
For all authorisation cases where there is a refusal of authorisation according to Art 21.7 of Directive 2008/57/EC:	Maintain of the refusal by the NSA	60 days	79.7 article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	
	Request for review of the refusal by the applicant to the appeal body – Possible opinion of the Agency if required by the appeal body	30 days	33 article of law on administrative proceedings adopten on 14.01.1999 by order No VIII-1029 of the Parlament of the Republic of Lithuania		
For additional authorisation case of TSI	NSA decision to be taken as soon as possible and not later than, according to Art. 23.7 of 2008/57/EC: (a) after submission of the authorisation file	60 days	17 ¹ article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling	LT	
conform vehicles	(b) after provision of any additional information requested by the national safety authority, where applicable (c) after provision of the results of any tests requested by the	30 days	stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications		
	national safety authority, where applicable NSA decision to be taken as soon as possible and not later than, according to Art. 25.5 of 2008/57/EC: (a) after submission of the authorisation file	120 days	17 ¹ article of the rules on authorization for placing in service structural subsystems of		
For additional authorisation case of non- TSI conform vehicle	(b) after provision of any additional information requested by the national safety authority, where applicable (c) after provision of the results of any tests requested by the national safety authority, where applicable	60 days	transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	
For all additional authorisation cases:	For tests/checks (including network compatibility) with the identified actors, in particular the IM, to take place not later than, according to Art. 23.6 and Art.25.4 of Directive 2008/57/EC	90 days	I annex 4 article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications		
TSI and non-TSI conform vehicles	when there is a deemed authorisation according to Art.21.8 of Directive 2008/57/EC	90 days	89 ¹ article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT	

Referen ce No in flowchart s	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
1.I	Submit the file describing the project to the MS	Requirements for the content of the file describing the project	1 article on documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
1.П	Examine: file of the previous authorisation(s) records on maintenance, operation and technical modifications	Requirements for the content of the file of the previous authorisation(s)	1;2;3 articles on the documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications placing in service railway vehicle on additional authorisation case adopted on 15.06.2011 by order No. V-394 of the Head of Inspectorate	LT
		Requirements for the content of the records on maintenance, operation and modifications	No	
1.111	Submit the file describing the project to the MS	Requirements for the content of the file describing the project	1 article on documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
1.IV	Is a new authorisation required for the project?	The criteria for a new authorisation	58; 59 articles of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT

Referenc e no in flowchart s	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
2.I	Request for track access to run on track test, when necessary	establishing the conditions to run on	71-76 articles of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT
2.II	Compile pre-engagement baseline	Procedure for establishing pre- engagement baseline	No	

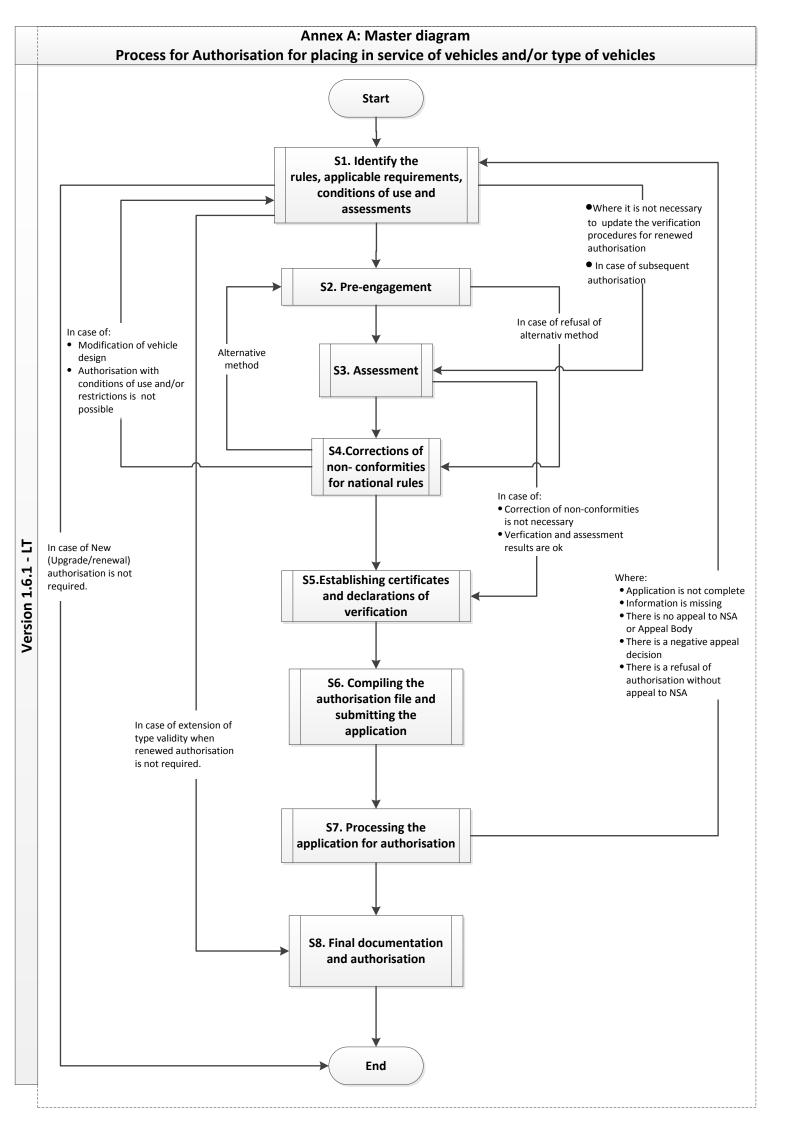
Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
3.1	Perform verification (including tests and on track tests where necessary) against applicable TSIs and NRs, and establish evidences	The requirements for evidences	2.4 and 2.6 articles on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
3.П	Perform verification of conformity to type, and establish evidences	The requirements for evidences	2.4 and 2.6 articles on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
3.111	Supply evidences on the completion of the relevant assessment of conformity to type	The requirements for evidences	2.4 article on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
3.IV	Supply evidences on the completion of the relevant assessment of conformity to type	The requirements for evidences	2.6 article on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate	LT
3.V	Apply CSM Regulation for safe integration	The requirements for risk assessment	Comission regulation (EC) No 352/2009 on the adoption of a common safety method of risk evaluation and assessment as reffered to in Article 6(3)(a) of Directive 2004/49/EC of the European Parlament and of the council	LT,EN
3.VI	Provide certificate(s) from assessment against applicable TSIs requirements to applicant	The requirements for evidences	52 article on the rules of the Transeuropean rail system requirements and application adopted on 23.12.2004 by order No. 3-586 of the Ministry of Transport and Communications (1)	LT
3.VII	Provide certificate(s) from assessment against applicable NRs requirements to applicant	The requirements for evidences	No	
3.VIII	Provide safety assessment report to applicant realted to EC Declaration issued by the Applicant	The requirements for the content of the safety assessment report	No	

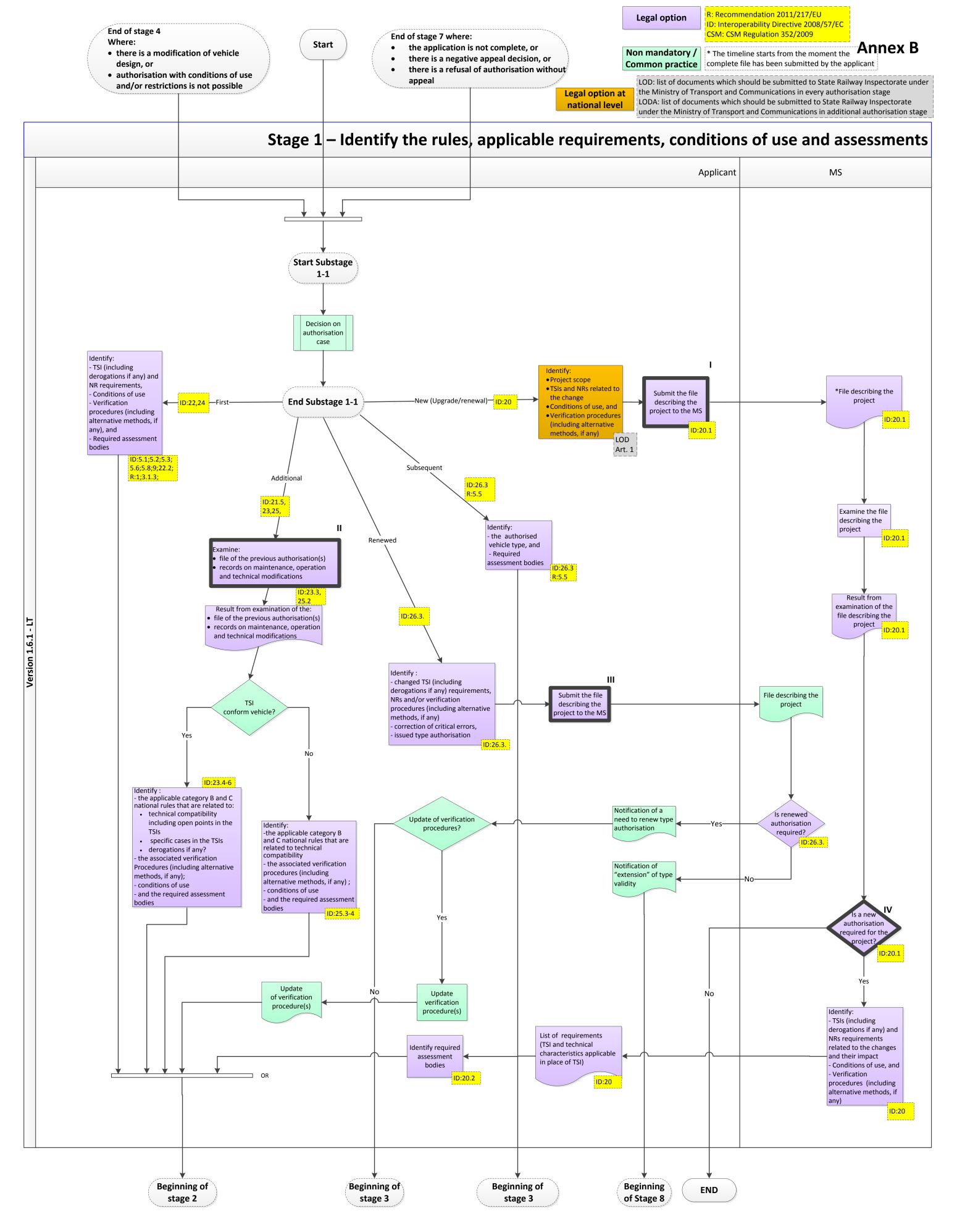
Reference n	Reference to object in flow	Requirement that needs	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
4. I	Decision on the remedial action?	Possible remedial actions: Alternative method, Design modification, Change of the conditions of use/restrictions, and	No	
		The criteria for decision on the remedial action.	No	

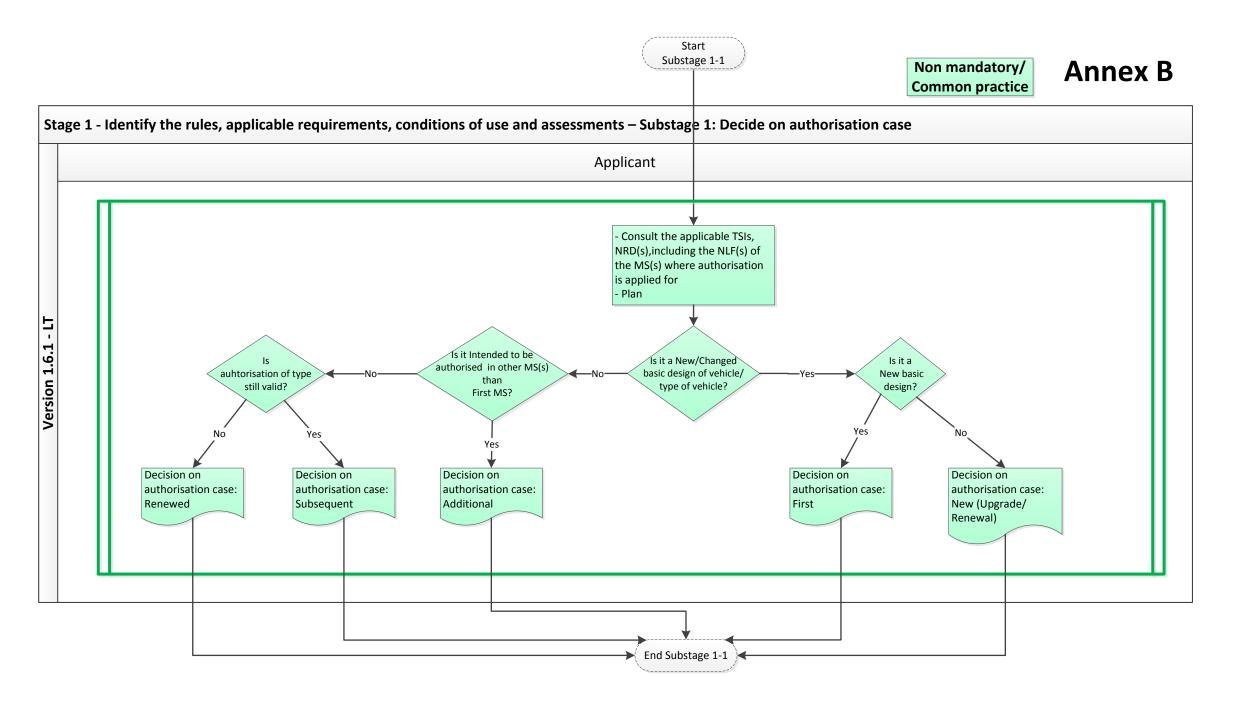
Referenc e no in flowchart s	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
6.1	- Make a copy of the initial technical file (previous authorisation(s)) - Collect records on operation and technical modifications	Requirements for the content of the authorisation file (including the "technical files"): - If there is a clear check list to be adhered to when compiling the authorisation file - The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.	1 to 3 articles on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications placing in service railway vehicle on additional authorisation case adopted on 15.06.2011 by order No. V-394 of the Head of Inspectorate	LT
6.II	Identify the content of the technical file for the DeBo(s) part	Requirements for the content of the authorisation file (including the "technical files"): - If there is a clear check list to be adhered to when compiling the authorisation file - The accepted documentation for authorisation granted before the implementation of Directive 2008/57/EC.	1 to 3 articles on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications placing in service railway vehicle on additional authorisation case adopted on 15.06.2011 by order No. V-394 of the Head of Inspectorate	LT
6.III	Identify the content of the technical file for the Assessment body (CSM) part	Requirements for the content of the authorisation file (including the "technical files"): - If there is a clear check list to be adhered to when compiling the authorisation file - The accepted documentation for authorisation granted before the	No No	
6.IV	Compile the authorisation file	implementation of Directive 2008/57/EC. The requirements and the content for the official application	2 article on the list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage adopted on 9.10.2010 by order No. V-355 of the Head of Inspectorate and in case of additional authorisation list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications placing in service railway vehicle on additional authorisation case adopted on 15.06.2011 by order No. V-394 of the Head of Inspectorate	LT
6.V	Identify the format and documentation of the application for authorisation: - Vehicle type and/or - Vehicle placing in servcie	The requirements and the content for the official application	No	
6.VI	Submit the official Application for authorisation	Time frame for the submission of the official application from the pre-engagement baseline, if any	No	

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
7.1	Acknowledge receipt of application	The requirements for the acknowledgement of the receipt of application	No	
7.II	Declare the vehicle deemed authorised	The requirements for deemed authorisation	No	
7.III	Is there an appeal to NSA?	The requirements for appeal to NSA	82.5 articlearticle article of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT
7.111		The requirements for the content of justification of appeal to NSA	No	
		The requirements for launching appeal to the appeal body	23 article of law on administrative proceedings adopten on 14.01.1999 by order No VIII-1029 of the Parlament of the Republic of Lithuania	LT
7.IV	Issuing the authorisation	The requirements for issuing authorisation	25 and 27 articles of the rules on authorization for placing in service structural subsystems of transeuropean railway system and rolling stock in the Republic of Lithuania adopted on 22.12.2006 by order No. 3-507 of the Ministry of Transport and Communications	LT
7.V	Identify conditions for archiving the authorisation file	The requirements for NSA archiving the authorisation file	12; 13 articles of the law on archives and documents adopted on 5.12.1995 by order No. I-1115 of the Parlament of Republic of Lithuania	LT

Reference no in flowcharts	Reference to object in flowchart	Requirement that needs additional information	The detailed reference of the rule(s) that specify the requirements	Language(s) that the rule(s) are available in
8.1	Forms for: - authorisation for placing in service of vehicle(s) and - authorisation for type of vehicle	The format of issued authorisation (of vehicle type and of placing in service of vehicle)	No	
8.11	Form for authorisation for type of vehicle	The format of issued authorisation of vehicle type	No	
8.III	Inform ERA on deemed vehicle type authorisation	The procedure for informing the Agency on deemed vehicle type authorisation	No	







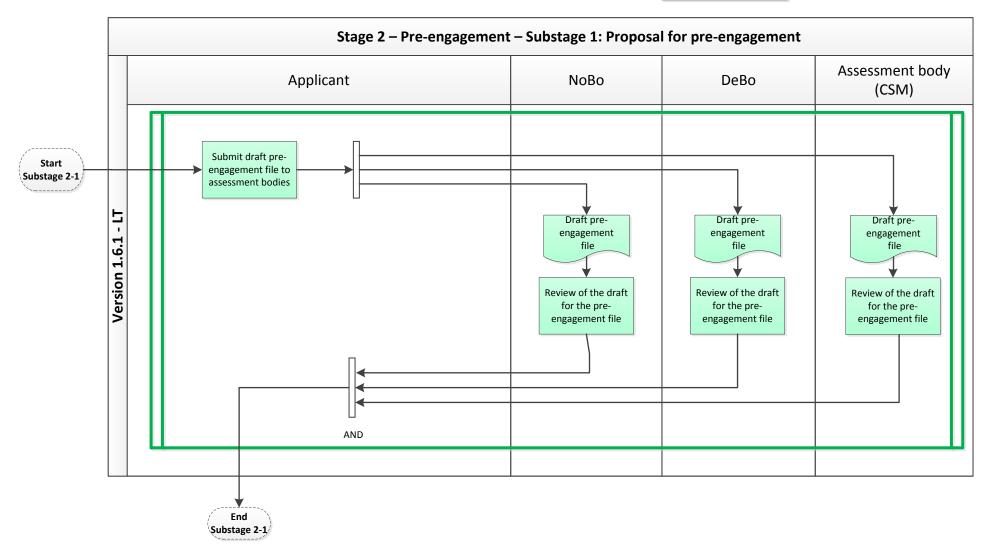
Non mandatory / R: Recommendation 2011/217/EU **Legal option** ID: Interoperability Directive 2008/57/EC **Annex C** Common practice CSM: CSM Regulation 352/2009 End of stage 4 for End of ROA: rules on authorization for placing in service structural subsystems of Legal option at alternative method/ transeuropean railway system and rolling stock in the Republic of Lithuania stage 1 national level LOD: list of documents which should be submitted to State Railway Inspectorate under the Ministry of Transport and Communications in every authorisation stage Stage 2 – Pre-engagement Assessment body **Applicant** NSA NoBo IM DeBo (CSM) Compile applicable TSI rules and/or NRs and the associated verification procedures including additional information to be Start Select assessment supplied, risk analyses to be carried out in Proposal for pre -Proposal for pre -engagement bodies accordance with Article 6(3)(a) of Directive Substage 2-1 engagement 2004/49/EC or tests to be conducted on the network in order to verify the criteria referred End Substage to in paragraph 4of Art 23 of 2008/57/EC 2-1 Is there a Evaluate proposal for Start proposal for an Evaluate proposal for alternative method to meet essential alternative method to alternative requirements Substage 2-2/ meet essential method? requirements Énd Substage 2-2 Acceptance Request for Request for Temporary Request for track access to run on track test, when Temporary authorisation to NSA necessary authorisation to NSA ROA Art. 45 ROA Art. 45 Temporary Issue temporary authorisation authorisation ROA Art. 45 ROA Art. 45 Request for track access ID:23.6, Agreement to track access Track access to run on track tests Take measures to Ask NSA to ensure NSA measures for IM to ensure that the respect the legal that the tests take tests take place the test take place within place within the legal timeframe the legal timeframe? within the legal timeframe ID:23.6, timeframe Reviewed acces provisions to Review the access provisions to run on track tests on track tests OR Submit pre- engagement file, including proposal for alternative methods, if any to: - assessment bodies Pre-engagement Pre-engagement Pre-engagement Pre-engagement LOD Art. 1 Examine and agree Examine and agree Examine and agree AND agree on the pre on the preon the preon the preengagement file engagement file engagement file engagement file Compile pre-engagement baseline Pre engagement baseline Pre engagement baseline Beginning of stage 4 for Beginning of refusal of alternative

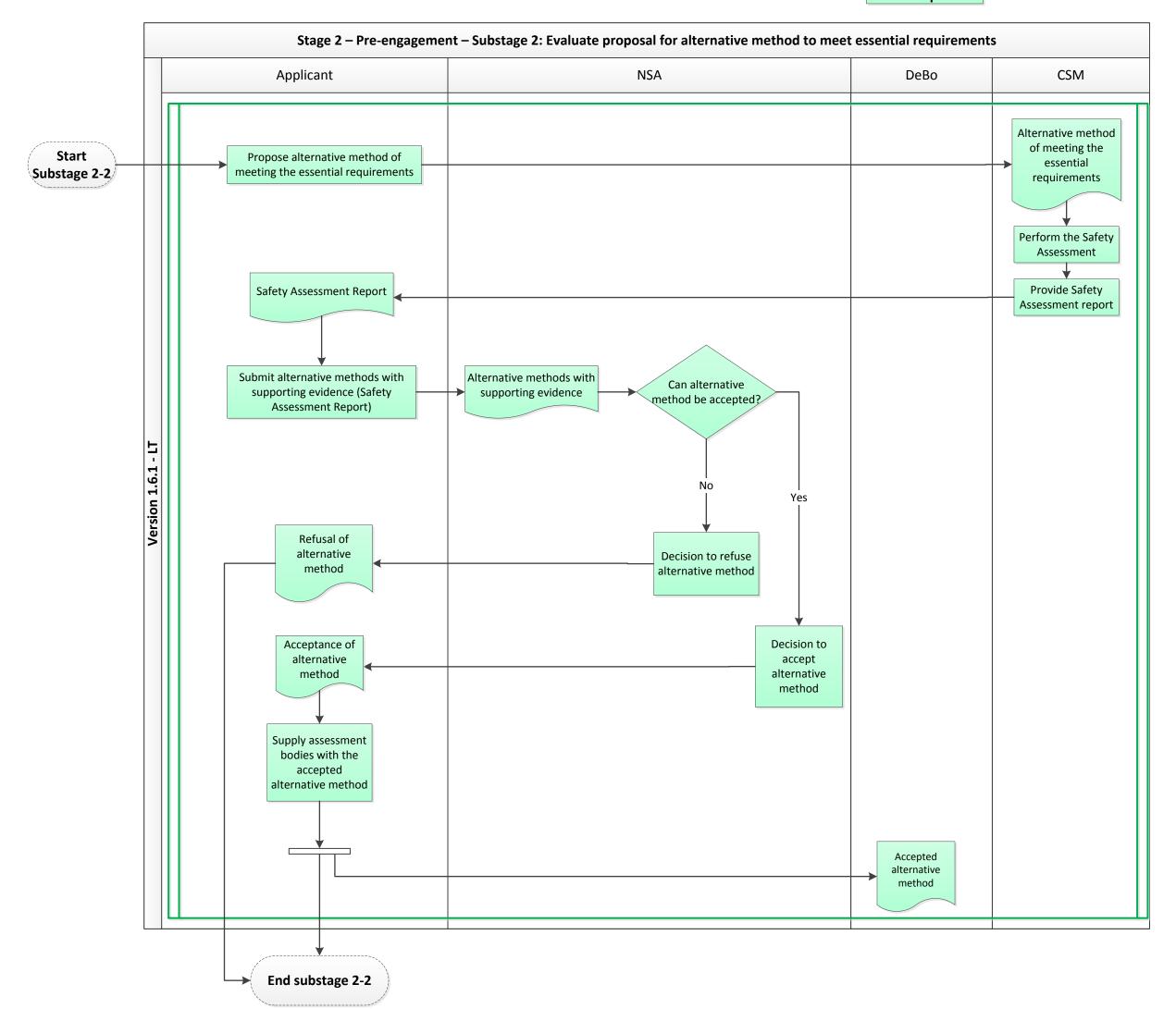
stage 3

method

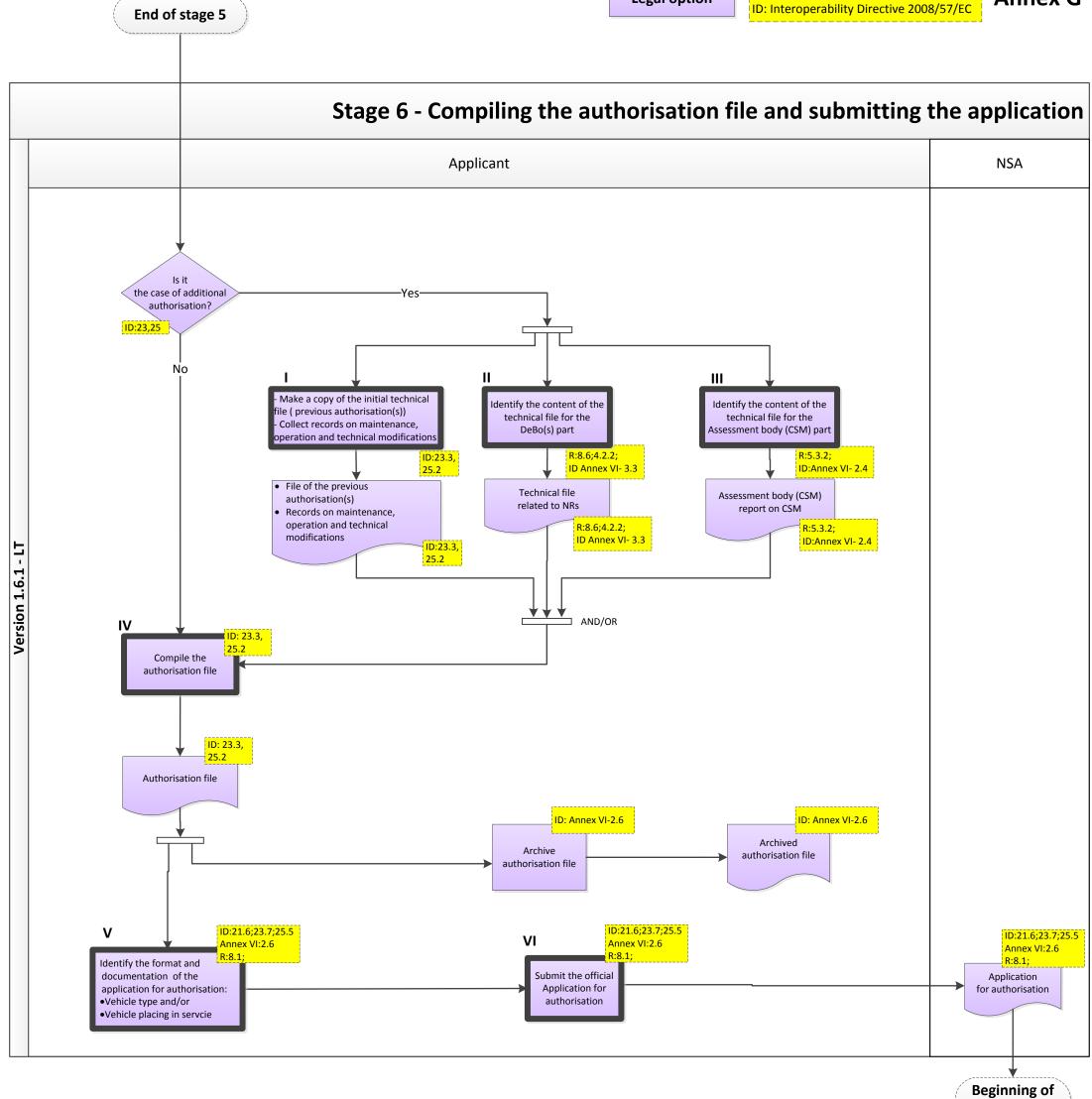
Non mandatory/ Common practice

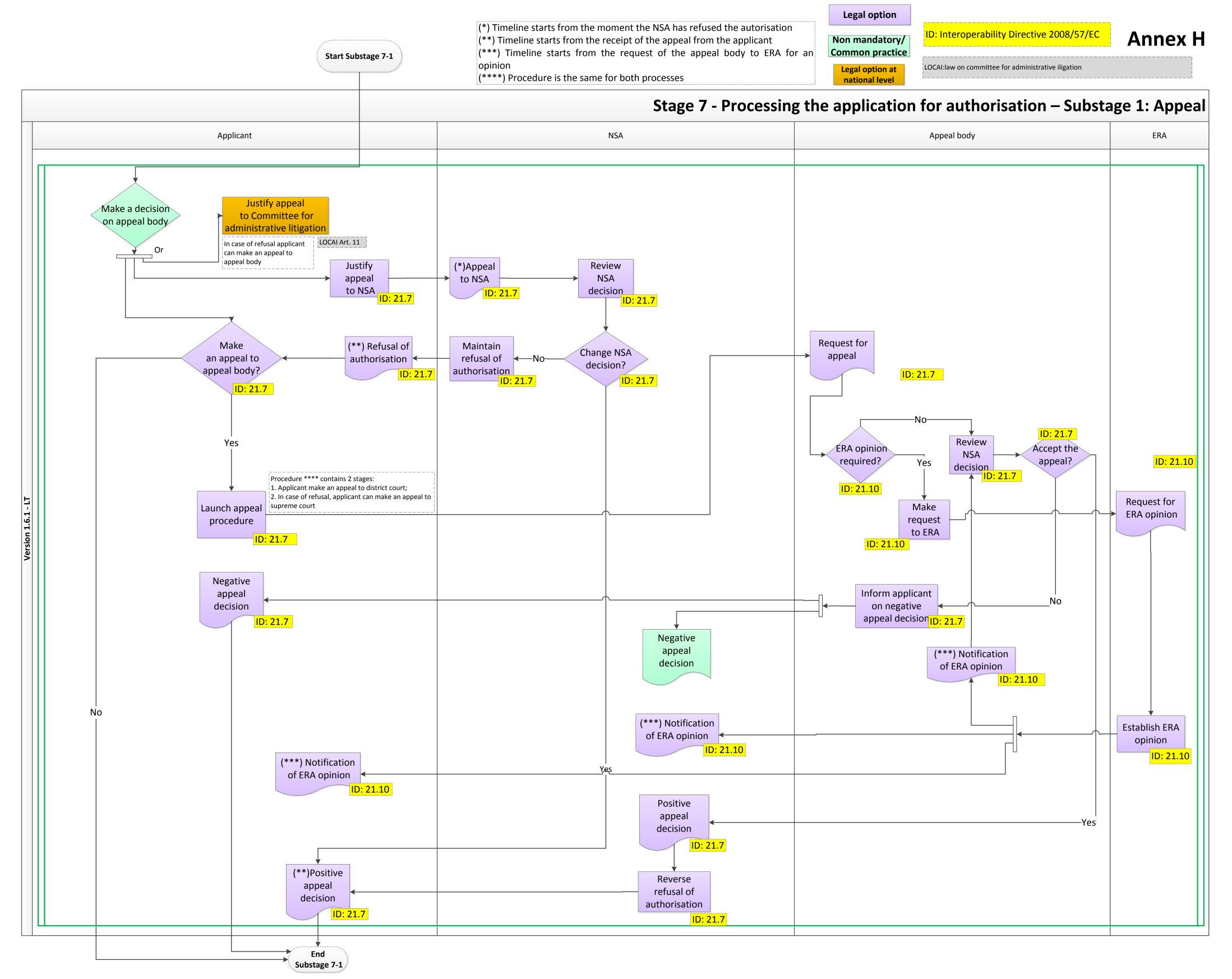
Annex C



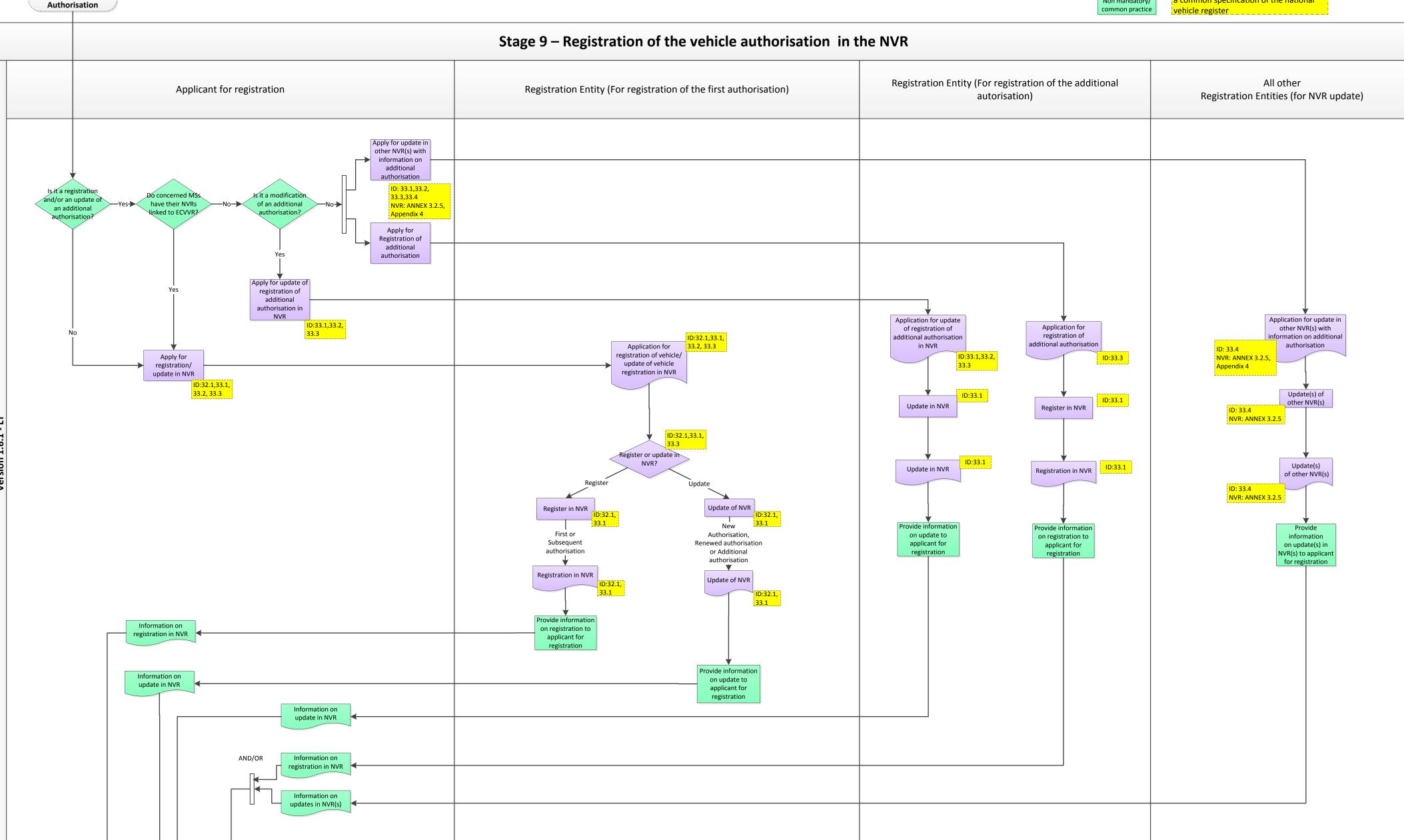


stage 7





ID: Interoperability Directive 2008/57/EC **Annex I Legal option** Non mandatory/ **Common practice** End of stage 1 for End of stage 7 End of stage 7 Issued Deemed extension of type Authorisation validity Authorisation Stage 8- Final documentation and authorisation Applicant NSA ERA Establish the forms for: Establish the authorisation for placing in service of Is it a vehicle type form for vehicle(s)) and authorisation only? authorisation for type of vehicle authorisation for type of vehicle ID:26,1-2 Forms for: authorisation for placing in service of vehicle(s) authorisation for type of vehicle Form for authorisation for Inform ERA on issued type of vehicle **Version 1.6.1 - LT** authorisation for type of vehicle ID:26,7. Ш Information on Inform ERA on vehicle type deemed vehicle authorisation type authorisation ID:26,7. Inform the concerned NSA of the deemed vehicle type Document on authorisation deemed vehicle type authorisation Confirmation of Register in ERAT<u>V</u> deemed vehicle type authorisation Registration in ID:34. **END**



End of stage 7 Issued

END